

SUBSTITUTE FOR
HOUSE BILL NO. 4406

A bill to make appropriations for the department of state police for the fiscal year ending September 30, 2022; and to provide for the expenditure of the appropriations.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1
2
3
4
5
6
7
8
9

PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. There is appropriated for the department of state police for the fiscal year ending September 30, 2022, from the following funds:

DEPARTMENT OF STATE POLICE

APPROPRIATION SUMMARY

Full-time equated unclassified positions	3.0
--	-----

Full-time equated classified positions	3,651.0
--	---------

1	GROSS APPROPRIATION		\$ 770,964,800
2	Interdepartmental grant revenues:		
3	Total interdepartmental grants and		
4	intradepartmental transfers		24,816,300
5	ADJUSTED GROSS APPROPRIATIONS		\$ 746,148,500
6	Federal revenues:		
7	Total federal revenues		262,953,200
8	Special revenue funds:		
9	Total local revenues		4,832,700
10	Total private revenues		35,000
11	Total other state restricted revenues		145,998,100
12	State general fund/general purpose		\$ 332,329,500
13	Sec. 102. DEPARTMENTAL ADMINISTRATION AND		
14	SUPPORT		
15	Full-time equated unclassified positions	3.0	
16	Full-time equated classified positions	81.0	
17	Unclassified salaries--FTEs	3.0	\$ 524,600
18	Accounting service center		1,506,200
19	Department services--FTEs	17.0	5,959,100
20	Departmentwide		43,283,600
21	Executive direction--FTEs	26.0	4,436,900
22	Mobile office and system support--FTEs	38.0	5,440,400
23	GROSS APPROPRIATION		\$ 61,150,800
24	Appropriated from:		
25	Interdepartmental grant revenues:		
26	IDG from department of corrections, contract		26,000
27	IDG from department of state		1,200

1	IDG from department of transportation, state		
2	trunkline fund		41,100
3	IDG from department of treasury, casino gaming		
4	fees		162,700
5	IDG, training academy charges		192,200
6	Intradepartmental transfers		55,400
7	Federal revenues:		
8	Coronavirus state fiscal recovery fund		327,400
9	Total other federal revenues		1,630,900
10	Special revenue funds:		
11	Total local revenues		8,400
12	Michigan merit award trust fund		15,800
13	Total other state restricted revenues		4,674,100
14	State general fund/general purpose	\$	54,015,600
15	Sec. 103. LAW ENFORCEMENT SERVICES		
16	Full-time equated classified positions	594.0	
17	Biometrics and identification--FTEs	58.0	\$ 9,619,100
18	Criminal justice information center--FTEs	155.0	22,076,200
19	Forensic science--FTEs	279.0	47,018,300
20	Grants and community services--FTEs	47.0	18,038,600
21	Office of school safety--FTEs	6.0	1,338,400
22	State 9-1-1 administration--FTEs	5.0	1,110,600
23	Training--FTEs	44.0	8,728,700
24	GROSS APPROPRIATION	\$	107,929,900
25	Appropriated from:		
26	Interdepartmental grant revenues:		
27	IDG from department of state		383,900

1	IDG from department of transportation, state		
2	trunkline fund		724,000
3	IDG, training academy charges		2,753,400
4	Intradepartmental transfers		750,000
5	Federal revenues:		
6	Coronavirus state fiscal recovery fund		1,472,200
7	Total other federal revenues		13,788,900
8	Special revenue funds:		
9	Total local revenues		919,200
10	Total private revenues		20,000
11	Total other state restricted revenues		37,589,900
12	State general fund/general purpose	\$	49,528,400
13	Sec. 104. MICHIGAN COMMISSION ON LAW		
14	ENFORCEMENT STANDARDS		
15	Full-time equated classified positions	20.0	
16	Justice training grants	\$	5,810,000
17	Public safety officers benefit fund		302,600
18	Standards and training--FTEs	20.0	3,874,900
19	Training only to local units		654,500
20	GROSS APPROPRIATION	\$	10,642,000
21	Appropriated from:		
22	Federal revenues:		
23	Total federal revenues		275,000
24	Special revenue funds:		
25	Total other state restricted revenues		9,750,300
26	State general fund/general purpose	\$	616,700
27	Sec. 105. FIELD SERVICES		
28	Full-time equated classified positions	2,345.0	

1	Investigative services--FTEs	148.5	\$	36,025,900
2	Post operations--FTEs	2,166.5		354,034,100
3	Secure cities partnership--FTEs	30.0		8,405,800
4	GROSS APPROPRIATION		\$	398,465,800
5	Appropriated from:			
6	Interdepartmental grant revenues:			
7	IDG from department of treasury, casino gaming			
8	fees			5,284,800
9	Intradepartmental transfers			821,000
10	Federal revenues:			
11	Coronavirus state fiscal recovery fund			177,409,400
12	Total other federal revenues			9,844,600
13	Special revenue funds:			
14	Total local revenues			1,200,200
15	Michigan merit award trust fund			853,200
16	Total other state restricted revenues			51,286,200
17	State general fund/general purpose		\$	151,766,400
18	Sec. 106. SPECIALIZED SERVICES			
19	Full-time equated classified positions	611.0		
20	Commercial vehicle enforcement--FTEs	211.0	\$	31,562,800
21	Emergency management and homeland security--			
22	FTEs	64.0		16,544,600
23	Hazardous materials programs--FTEs	25.0		23,561,200
24	Highway safety planning--FTEs	26.0		18,162,200
25	Intelligence operations--FTEs	209.0		29,003,800
26	Secondary road patrol program--FTE	1.0		13,073,200
27	Special operations--FTEs	75.0		15,207,600
28	GROSS APPROPRIATION		\$	147,115,400

1	Appropriated from:		
2	Interdepartmental grant revenues:		
3	IDG from department of transportation, state		
4	trunkline fund		11,024,700
5	IDG from department of treasury, public safety		
6	answer point training 911 fund		100,000
7	Intradepartmental transfers		1,971,800
8	Federal revenues:		
9	Coronavirus state fiscal recovery fund		2,791,000
10	Total other federal revenues		54,453,300
11	Special revenue funds:		
12	Total local revenues		1,753,200
13	Total private revenues		15,000
14	Total other state restricted revenues		29,352,600
15	State general fund/general purpose	\$	45,653,800
16	Sec. 107. INFORMATION TECHNOLOGY		
17	Information technology services and projects	\$	29,575,200
18	GROSS APPROPRIATION	\$	29,575,200
19	Appropriated from:		
20	Interdepartmental grant revenues:		
21	IDG from department of state		3,400
22	IDG from department of transportation, state		
23	trunkline fund		364,700
24	IDG from department of treasury, casino gaming		
25	fees		122,800
26	IDG, training academy charges		11,500
27	Intradepartmental transfers		21,700
28	Federal revenues:		

1	Total federal revenues	960,400
2	Special revenue funds:	
3	Total local revenues	951,700
4	Michigan merit award trust fund	3,400
5	Total other state restricted revenues	12,472,600
6	State general fund/general purpose	\$ 14,663,000
7	Sec. 108. ONE-TIME APPROPRIATIONS	
8	Emergency and disaster response and mitigation	\$ 100
9	Facility upgrades	100
10	Michigan joint task force on jail and pretrial	
11	incarceration	10,200,000
12	State capitol security	1,000,000
13	Trooper school	4,885,500
14	GROSS APPROPRIATION	\$ 16,085,700
15	Appropriated from:	
16	Federal revenues:	
17	Total federal revenues	100
18	State general fund/general purpose	\$ 16,085,600

19

20 PART 2

21 PROVISIONS CONCERNING APPROPRIATIONS

22 FOR FISCAL YEAR 2021-2022

23 **GENERAL SECTIONS**

24 Sec. 201. Pursuant to section 30 of article IX of the state
 25 constitution of 1963, total state spending from state sources under
 26 part 1 for fiscal year 2021-2022 is \$478,327,600.00 and state
 27 spending from state sources to be paid to local units of government
 28 for fiscal year 2021-2022 is \$19,253,300.00. The itemized statement
 29 below identifies appropriations from which spending to local units

of government will occur:

DEPARTMENT OF STATE POLICE

Justice training grants	\$	4,655,200
State capitol security		1,000,000
Secondary road patrol program		12,943,600
Training only to local units		654,500
TOTAL	\$	19,253,300

Sec. 202. The appropriations authorized under this part and part 1 are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 203. As used in this part and part 1:

(a) "CJIS" means Criminal Justice Information Systems.

(b) "Department" means the department of state police.

(c) "Director" means the director of the department.

(d) "DNA" means deoxyribonucleic acid.

(e) "DTMB" means the department of technology, management, and budget.

(f) "FTE" means full-time equated.

(g) "IDG" means interdepartmental grant.

(h) "MCOLES" means the Michigan commission on law enforcement standards created in section 3 of the Michigan commission on law enforcement standards act, 1965 PA 203, MCL 28.603.

(i) "Subcommittees" means the subcommittees of the senate and house standing committees on appropriations with jurisdiction over the budget for the department.

Sec. 204. The department and agencies receiving appropriations in part 1 shall use the internet to fulfill the reporting requirements of this part. This requirement must include transmission of reports via email to the recipients identified for

1 each reporting requirement and it must include placement of reports
2 on an internet site.

3 Sec. 205. To the extent permissible under section 261 of the
4 management and budget act, 1984 PA 431, MCL 18.1261, all of the
5 following apply:

6 (a) Funds appropriated in part 1 shall not be used for the
7 purchase of foreign goods or services, or both, if competitively
8 priced and of comparable quality American goods or services, or
9 both, are available.

10 (b) Preference shall be given to goods or services, or both,
11 manufactured or provided by Michigan businesses, if they are
12 competitively priced and of comparable quality.

13 (c) In addition, preference shall be given to goods or
14 services, or both, that are manufactured or provided by Michigan
15 businesses owned and operated by veterans, if they are
16 competitively priced and of comparable quality.

17 Sec. 206. The department shall not take disciplinary action
18 against an employee of the department or a departmental agency in
19 the state classified civil service because the employee
20 communicates with a member of the legislature or a member's staff,
21 unless the communication is prohibited by law and the department or
22 departmental agency taking disciplinary action is exercising its
23 authority as provided by law.

24 Sec. 207. The department and agencies receiving appropriations
25 in part 1 shall prepare a report on out-of-state travel expenses
26 not later than January 1 of each year. The travel report shall be a
27 listing of all travel by classified and unclassified employees
28 outside this state in the immediately preceding fiscal year that
29 was funded in whole or in part with funds appropriated in the

1 department's budget. The report shall be submitted to the senate
2 and house appropriations committees, the senate and house fiscal
3 agencies, and the state budget director. The report shall include
4 the following information:

5 (a) The dates of each travel occurrence.

6 (b) The total transportation and related costs of each travel
7 occurrence, including the proportion funded with state general
8 fund/general purpose revenues, the proportion funded with state
9 restricted revenues, the proportion funded with federal revenues,
10 and the proportion funded with other revenues.

11 Sec. 208. Funds appropriated in part 1 shall not be used by a
12 principal executive department, state agency, or authority to hire
13 a person to provide legal services that are the responsibility of
14 the attorney general. This prohibition does not apply to legal
15 services for bonding activities and for those outside services that
16 the attorney general authorizes.

17 Sec. 209. Not later than November 30, the state budget office
18 shall prepare and transmit a report that provides for estimates of
19 the total general fund/general purpose appropriation lapses at the
20 close of the prior fiscal year. This report shall summarize the
21 projected year-end general fund/general purpose appropriation
22 lapses by major departmental program or program areas. The report
23 shall be transmitted to the chairpersons of the senate and house
24 appropriations committees and the senate and house fiscal agencies.

25 Sec. 210. (1) In addition to the funds appropriated in part 1,
26 there is appropriated an amount not to exceed \$2,000,000.00 for
27 federal contingency authorization. These funds are not available
28 for expenditure until they have been transferred to another line
29 item in part 1 under section 393(2) of the management and budget

1 act, 1984 PA 431, MCL 18.1393.

2 (2) In addition to the funds appropriated in part 1, there is
3 appropriated an amount not to exceed \$4,000,000.00 for state
4 restricted contingency authorization. These funds are not available
5 for expenditure until they have been transferred to another line
6 item in part 1 under section 393(2) of the management and budget
7 act, 1984 PA 431, MCL 18.1393.

8 Sec. 211. From the funds appropriated in part 1, the
9 department shall provide to the DTMB information sufficient to
10 maintain a searchable website accessible by the public at no cost
11 that includes, but is not limited to, all of the following for the
12 department:

13 (a) Fiscal year-to-date expenditures by category.

14 (b) Fiscal year-to-date expenditures by appropriation unit.

15 (c) Fiscal year-to-date payments to a selected vendor,
16 including the vendor name, payment date, payment amount, and
17 payment description.

18 (d) The number of active department employees by job
19 classification.

20 (e) Job specifications and wage rates.

21 Sec. 212. Within 14 days after the release of the executive
22 budget recommendation, the department shall provide to the state
23 budget office information sufficient to provide the senate and
24 house appropriations chairs, the subcommittees chairs, and the
25 senate and house fiscal agencies with an annual report on estimated
26 state restricted fund balances, state restricted fund projected
27 revenues, and state restricted fund expenditures for the fiscal
28 years ending September 30, 2021 and September 30, 2022.

29 Sec. 213. The department shall maintain, on a publicly

1 accessible website, a department scorecard that identifies, tracks,
2 and regularly updates key metrics that are used to monitor and
3 improve the department's performance.

4 Sec. 214. Total authorized appropriations from all sources
5 under part 1 for legacy costs for the fiscal year ending September
6 30, 2022 are estimated at \$138,955,600.00. From this amount, total
7 department appropriations for pension-related legacy costs are
8 estimated at \$83,109,900.00. Total department appropriations for
9 retiree health care legacy costs are estimated at \$55,845,700.00.

10 Sec. 215. To the extent permissible under the management and
11 budget act, 1984 PA 431, MCL 18.1101 to 18.1594, the director shall
12 take all reasonable steps to ensure businesses in deprived and
13 depressed communities compete for and perform contracts to provide
14 services or supplies, or both. The director shall strongly
15 encourage firms with which the department contracts to subcontract
16 with certified businesses in depressed and deprived communities for
17 services or supplies, or both.

18 Sec. 216. (1) On a quarterly basis, the department shall
19 report to the senate and house appropriations committees, the
20 subcommittees, and the senate and house fiscal agencies the
21 following information:

22 (a) The number of FTEs in pay status by type of staff and
23 civil service classification.

24 (b) A comparison by line item of the number of FTEs authorized
25 from funds appropriated in part 1 to the actual number of FTEs
26 employed by the department at the end of the reporting period.

27 (2) Semiannually, the department shall report to the senate
28 and house appropriations committees, the subcommittees, and the
29 senate and house fiscal agencies the following information:

1 (a) Number of employees that were engaged in remote work in
2 2021.

3 (b) Number of employees authorized to work remotely and the
4 actual number of those working remotely in the current reporting
5 period.

6 (c) Estimated net cost savings achieved by remote work.

7 (d) Reduced use of office space associated with remote work.

8 Sec. 217. Appropriations in part 1 shall, to the extent
9 possible by the department, not be expended until all existing work
10 project authorization available for the same purposes is exhausted.

11 Sec. 218. If the state administrative board, acting under
12 section 3 of 1921 PA 2, MCL 17.3, transfers funds from an amount
13 appropriated under this article, the legislature may, by a
14 concurrent resolution adopted by a majority of the members elected
15 to and serving in each chamber, intertransfer funds within this
16 article for the particular department, board, commission, officer,
17 or institution.

18 Sec. 219. The department and agencies receiving appropriations
19 in part 1 shall receive and retain copies of all reports funded
20 from appropriations in part 1. Federal and state guidelines for
21 short-term and long-term retention of records shall be followed.
22 The department may electronically retain copies of reports unless
23 otherwise required by federal and state guidelines.

24 Sec. 220. The department shall report no later than April 1 on
25 each specific policy change made to implement a public act
26 affecting the department that was enacted and took effect during
27 the prior calendar year to the senate and house appropriations
28 committees, the subcommittees, the joint committee on
29 administrative rules, and the senate and house fiscal agencies.

1 Sec. 221. (1) From the funds appropriated in part 1, the
2 department shall do all of the following:

3 (a) Report to the house and senate appropriations committees,
4 the house and senate fiscal agencies, the house and senate policy
5 offices, and the state budget office any amounts of severance pay
6 for a department director, deputy director, or other high-ranking
7 department official not later than 14 days after a severance
8 agreement with the director or official is signed. The name of the
9 director or official and the amount of severance pay must be
10 included in the report required by this subdivision.

11 (b) Maintain an internet site that posts any severance pay in
12 excess of 6 weeks of wages, regardless of the position held by the
13 former department employee receiving severance pay.

14 (c) By February 1, report to the house and senate
15 appropriations subcommittees on the department budget, the house
16 and senate fiscal agencies, the house and senate policy offices,
17 and the state budget office on the total amount of severance pay
18 remitted to former department employees during the fiscal year
19 ending September 30, 2021 and the total number of former department
20 employees that were remitted severance pay during the fiscal year
21 ending September 30, 2021.

22 (2) As used in this section, "severance pay" means
23 compensation that is both payable or paid upon the termination of
24 employment and in addition to either wages or benefits earned
25 during the course of employment or generally applicable retirement
26 benefits.

27 Sec. 222. Any department, agency, board, commission,
28 subdivision, or other executive branch entity or official of this
29 state that receives funding under part 1 shall not do the

1 following:

2 (a) Require as a condition of accessing any state services or
3 facilities that an individual provide proof that he or she has
4 received a COVID-19 vaccine.

5 (b) Produce, develop, and issue a COVID-19 vaccine passport
6 for the purpose of certifying that an individual has received a
7 COVID-19 vaccine.

8 (c) Provide information of an individual's COVID-19 vaccine
9 status to any person, company, or governmental entity for inclusion
10 in a COVID-19 vaccine passport.

11 Sec. 223. Based on the availability of federal funding and
12 demonstrated need, as indicated by applications submitted to the
13 state court administrative office, the department shall provide
14 \$1,500,000.00 in Byrne justice assistance grant program funding to
15 the judiciary by interdepartmental grant.

16 Sec. 224. The department shall provide biannual reports to the
17 subcommittees, the senate and house fiscal agencies, and the state
18 budget office that provide the following data:

19 (a) A list of major work projects, including the status of
20 each project.

21 (b) The department's financial status, featuring a report of
22 budgeted versus actual expenditures by part 1 line item including a
23 year-end projection of budget requirements. If projected department
24 budget requirements exceed the allocated budget, the report shall
25 include a plan to reduce overall expenses while still satisfying
26 specified service level requirements.

27 (c) A report on the performance metrics cited or information
28 required to be reported in this part, reasons for nonachievement of
29 metric targets, and proposed corrective actions.

1 Sec. 225. The department shall notify the subcommittees, the
2 chairpersons of the senate and house appropriations committees, and
3 the senate and house fiscal agencies not less than 90 days before
4 recommending to close or consolidate any state police post. The
5 notification shall include a local and state impact study of the
6 proposed post closure or consolidation.

7 Sec. 226. At least 90 days before beginning any effort to
8 privatize, the department shall submit a complete project plan to
9 the subcommittees and the senate and house fiscal agencies. The
10 plan shall include the criteria under which the privatization
11 initiative will be evaluated. The evaluation shall be completed and
12 submitted to the subcommittees and the senate and house fiscal
13 agencies within 30 months.

14 Sec. 227. (1) When the department provides contractual
15 services to a local unit of government, the department shall be
16 reimbursed for all costs incurred in providing the services,
17 including, but not limited to, retirement and overtime costs.

18 (2) The department shall define service cost models for those
19 services requiring reimbursement.

20 (3) Contractual services provided to an entity other than a
21 local unit of government may be provided by department personnel,
22 but only on an overtime basis outside the normal work schedule of
23 the personnel.

24 (4) This section does not apply to services provided to state
25 agencies.

26 (5) Revenues received for contractual or reimbursed services
27 in excess of the appropriation in part 1 are appropriated and may
28 be received and expended by the department for the purposes for
29 which funds are received.

1 (6) If additional authorization is approved in the statewide
2 integrated governmental management application (SIGMA) by the state
3 budget office under this section, the department shall notify the
4 subcommittees and the senate and house fiscal agencies within 10
5 days after the approval. The notification shall include the amount
6 and funding source of the additional authorization, the date of its
7 approval, and the projected use of funds to be expended.

8 Sec. 228. The department shall serve as an active liaison
9 between the DTMB and state, local, regional, and federal public
10 safety agencies on matters pertaining to the Michigan public safety
11 communications system and shall report user issues to the DTMB.

12 Sec. 229. The department may establish and collect fees for
13 publications, videos, conferences, workshops, and related
14 materials. Collected fees shall be used to offset expenditures for
15 costs of the publications, videos, workshops, conferences, and
16 related materials. The department shall not collect fees under this
17 section that exceed the cost of the expenditures.

18 Sec. 230. (1) The department may accept monetary and
19 nonmonetary gifts, bequests, donations, contributions, or grants
20 from any private or public source to support, in whole or in part,
21 a departmental function or program. The department shall expend or
22 use such gifts, bequests, donations, contributions, or grants for
23 the purposes designated by the private or public source, if the
24 purpose is specified.

25 (2) Revenue collected by the department under this section
26 that is unexpended and unencumbered shall not lapse to the general
27 fund but shall be carried forward to the subsequent fiscal year.

28 Sec. 231. (1) Federal revenues authorized by and available
29 from the federal government in excess of the appropriations in part

1 1 are appropriated and may be received and expended by the
2 department for purposes authorized under state law and subject to
3 federal requirements. The total amount of federal revenues that may
4 be received and expended under this section and section 704(3) must
5 not exceed \$45,000,000.00.

6 (2) The department shall notify the subcommittees and the
7 senate and house fiscal agencies before expending federal revenues
8 received and appropriated under subsection (1).

9 (3) If additional authorization is approved in the statewide
10 integrated governmental management application (SIGMA) by the state
11 budget office under this section, the department shall notify the
12 subcommittees and the senate and house fiscal agencies within 10
13 days after the approval. The notification shall include the amount
14 and funding source of the additional authorization, the date of its
15 approval, and the projected use of funds to be expended.

16 Sec. 232. It is the intent of the legislature that the
17 department shall take all steps necessary to protect the data and
18 privacy of citizens who are not the focus of a departmental
19 investigation and to protect personal information from unauthorized
20 access or misuse. This includes, but is not limited to, requiring
21 vendors or service providers to protect data shared with them,
22 ensuring that when personal data is collected, but no longer
23 utilized by the department, that reasonable steps be taken to
24 securely destroy records containing personal information when it is
25 to be discarded so that the information is rendered indecipherable
26 and is not sold for marketing or other purposes. In addition, the
27 department shall provide written notification to any data subject
28 whose sensitive personal information is accessed or acquired by an
29 unauthorized person.

1 Sec. 233. A law enforcement officer or a motor carrier officer
2 funded under part 1 shall not be required to issue a predetermined
3 or specified number of citations for violations of the Michigan
4 vehicle code, 1949 PA 300, MCL 257.1 to 257.923, or of local
5 ordinances substantially corresponding to provisions of the
6 Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, including
7 parking or standing violations. A law enforcement officer's or
8 motor carrier officer's performance evaluation system shall not
9 require a predetermined or specified number of citations to be
10 issued.

11 Sec. 234. The department shall report to the subcommittees and
12 the senate and house fiscal agencies on tentative plans for the
13 required payment of any court judgment against the department, as
14 soon as those plans are developed. The report must include, but is
15 not limited to, all of the following information:

16 (a) A listing of all known court judgments that would result
17 in a financial obligation for the department.

18 (b) The amount of time in which each of those financial
19 obligations must be met.

20 (c) The proposed budget line items from which a payment for a
21 court judgment of \$100,000.00 or more would be made.

22 (d) The estimated impact of the loss of revenue on the
23 programs funded by any line items from which payments would be
24 made.

25 Sec. 235. In collaboration with the Michigan department of
26 health and human services and the Michigan department of education,
27 the department shall advise on initiatives in schools and other
28 educational organizations that include, but are not limited to,
29 training for educators, teachers, and other personnel in school

1 settings for all of the following:

2 (a) Utilization of trauma-informed practices.

3 (b) Age-appropriate education and information on human
4 trafficking.

5 (c) Age-appropriate education and information on sexual abuse
6 prevention.

7 Sec. 236. As a condition of receiving funds appropriated in
8 part 1, the department of state police shall not identify specific
9 employers by name in communications distributed to the press with
10 respect to citations issued and enforcement actions taken for
11 violations of emergency rules and orders by any state department,
12 agency, board, commission, subdivision, or other executive branch
13 entity or official.

14
15 **LAW ENFORCEMENT SERVICES**

16 Sec. 401. (1) The department shall develop and deliver
17 professional, innovative, and quality training that supports the
18 enforcement and public safety efforts of the criminal justice
19 community.

20 (2) The department shall provide performance data, as provided
21 under section 224, for days of training being conducted by the
22 academy.

23 (3) The department shall submit a report to the subcommittees
24 and the senate and house fiscal agencies within 60 days of the
25 conclusion of any trooper, motor carrier, or state properties
26 security recruit school. The report shall include the following:

27 (a) The number of veterans and the number of MCOLES-certified
28 police officers who were admitted to and the number who graduated
29 from the recruit school.

1 (b) The total number of recruits who were admitted to the
2 school, the number of recruits who graduated from the school, and
3 the location at which each of these recruits is assigned.

4 (4) The department shall distribute and review course
5 evaluations to ensure that quality training is provided.

6 Sec. 402. (1) In accordance with applicable state and federal
7 laws and regulations, the department shall maintain and ensure
8 compliance with CJIS databases and applications in the support of
9 public safety and law enforcement communities.

10 (2) The department shall improve the accuracy, timeliness, and
11 completeness of criminal history information by conducting a
12 minimum of 30 outreach activities targeted to criminal justice
13 agencies. The department shall report the number of these outreach
14 activities conducted, as provided under section 224.

15 (3) The department shall provide for the compilation of crime
16 statistics consistent with the uniform crime reporting (UCR)
17 program and the national incident-based report system (NIBRS).

18 (4) The department shall provide for the compilation and
19 evaluation of traffic crash reports and the maintenance of the
20 state accident data collection system.

21 (5) The department shall make individual traffic crash reports
22 available for a fee of \$10.00 per incident. The department may also
23 sell an extract of electronic traffic crash data for a fee of \$0.25
24 per incident, provided that the name, address, and any other
25 personal identifying information have been excluded.

26 (6) By March 1, the department shall submit a report to the
27 subcommittees, the senate and house fiscal agencies, and the state
28 budget director detailing the number of traffic crash reports
29 provided, the amount of revenue collected, and all expenditures

1 incurred for activities under subsection (5) in the preceding
2 fiscal year. The report shall include an analysis of whether
3 revenue from department activities under subsection (5) is
4 sufficient to offset all costs incurred for those activities and
5 shall provide information regarding any deficit or surplus of
6 revenue.

7 (7) In accordance with applicable state and federal laws and
8 regulations, the department shall provide for the maintenance and
9 dissemination of criminal history records and juvenile records,
10 including to the extent necessary to exchange criminal history
11 records information with the Federal Bureau of Investigation and
12 other states through the interstate identification index, the
13 National Crime Information Center, and other federal CJIS databases
14 and indices.

15 (8) In accordance with applicable state and federal laws, the
16 department shall provide for the maintenance of records, including
17 criminal history records regarding firearms licensure, as provided
18 in 1927 PA 372, MCL 28.421 to 28.435.

19 (9) The department shall provide a report to the legislature
20 on concealed pistol licensing not later than January 1 that
21 includes all of the following:

22 (a) The department's actual revenue received from fees paid
23 for concealed pistol license (CPL) applications for the prior
24 fiscal year and the uses of that revenue.

25 (b) The department's prior fiscal year costs for administering
26 its concealed pistol licensing responsibilities under 1927 PA 372,
27 MCL 28.421 to 28.435, but not including costs related to the
28 administration of other state statutes or requirements of federal
29 law.

1 (10) The department shall provide information on the number of
2 background checks processed through the internet criminal history
3 access tool (ICHAT), as provided in section 224.

4 (11) The following unexpended and unencumbered revenues
5 deposited into the criminal justice information center service fees
6 shall not lapse to the general fund, but shall be carried forward
7 into the subsequent fiscal year:

8 (a) Fees for fingerprinting and criminal record checks and
9 name-based criminal record checks under 1935 PA 120, MCL 28.271 to
10 28.274.

11 (b) Fees for application and licensing for initial and renewal
12 concealed pistol licenses under 1927 PA 372, MCL 28.421 to 28.435.

13 (c) Fees for searching, copying, and providing public records
14 under the freedom of information act, 1976 PA 442, MCL 15.231 to
15 15.246.

16 (d) Revenue from other sources, including, but not limited to,
17 investment and interest earnings.

18 (12) Unexpended and unencumbered revenue generated by state
19 records management system fees shall not lapse to the general fund,
20 but shall be carried forward into the subsequent fiscal year.

21 Sec. 403. (1) The department shall provide forensic testing
22 and analysis/profiling of DNA evidence to aid in law enforcement
23 investigations in this state.

24 (2) The department shall ensure its ability to maintain
25 accreditation by a federally designated accrediting agency, as
26 provided under 34 USC 12592.

27 (3) The department shall provide forensic science services
28 with an average turnaround time of 55 days, assuming an annual
29 caseload volume commensurate with the average annual caseload

1 received by the forensic science division during the preceding 5
2 fiscal years, and shall work to achieve a goal of a 30-day average
3 turnaround time across all forensic science disciplines.

4 (4) The department shall provide the following data as
5 provided in section 224:

6 (a) The average turnaround time for processing forensic
7 evidence across all disciplines.

8 (b) Forensic laboratory staffing levels, including scientists
9 in training, and vacancies.

10 (c) The number of backlogged cases in each discipline.

11 Sec. 404. (1) The biometrics and identification division shall
12 house and manage the automated biometric identification system, the
13 statewide network of agency photographs, and combined offender DNA
14 index system biometric databases.

15 (2) The department shall provide data on the number of 10-
16 print and palm-print submissions to the database, as provided in
17 section 224.

18 (3) The department shall maintain the staffing and resources
19 necessary to have a 28-day average wait time for scheduling a
20 polygraph examination, assuming an annual caseload received
21 commensurate with the average annual caseload received during the
22 preceding 5 fiscal years, with a goal of achieving a 15-day average
23 wait time.

24 (4) If changes are made to the department's protocol for
25 retaining and purging DNA analysis samples and records, the
26 department shall post a copy of the protocol changes on the
27 department's website.

28 Sec. 405. Not later than December 1, the department shall
29 submit a report to the subcommittees and senate and house fiscal

1 agencies that includes, but is not limited to, all of the following
2 information:

3 (a) Sexual assault kit analysis backlog at the beginning of
4 the prior fiscal year.

5 (b) The number of sexual assault kits collected or submitted
6 for analysis during the prior fiscal year.

7 (c) The number of sexual assault kits analyzed and the number
8 of associated DNA profiles created and uploaded during the prior
9 fiscal year.

10 (d) Sexual assault kit analysis backlog at the end of the
11 prior fiscal year.

12 (e) The average turnaround time to analyze sexual assault kits
13 and to create and upload associated DNA profiles for the prior
14 fiscal year.

15 Sec. 406. The department shall provide administrative support
16 for the following grant and community service programs:

17 (a) The operations of the automobile theft prevention
18 authority.

19 (b) Administration of the Edward Byrne memorial justice
20 assistance program and other grant programs, as well as the
21 department's community policing efforts.

22 (c) Administration of the office of school safety.

23 (d) Administration and outreach of the OK2SAY program.

24 Sec. 407. Not later than March 30, the office of school safety
25 shall provide a school safety report to the legislature and the
26 senate and house fiscal agencies that must include the following:

27 (a) Reports of incidents of school violence or threats
28 reported to the state police by local law enforcement or local
29 school districts, or received through the Michigan incident crime

1 report (MICR).

2 (b) Reports of OK2SAY-based incidences and activities.

3 (c) Based upon an evaluation of incidents of school safety and
4 analysis of school safety grants, recommendations on best practices
5 and other safety measures to ensure school safety in this state.

6
7 **MICHIGAN COMMISSION ON LAW ENFORCEMENT STANDARDS**

8 Sec. 501. (1) MCOLES shall establish standards for the
9 selection, employment, training, education, licensing, and
10 licensure revocation of all law enforcement officers and provide
11 the basic law enforcement training curriculum for law enforcement
12 training academy programs statewide.

13 (2) MCOLES shall maintain staffing and resources necessary to
14 update law enforcement standards within 120 days of the enactment
15 date of any new legislation.

16 Sec. 502. The general fund/general purpose funds appropriated
17 in part 1 for the public safety officers benefit fund must be
18 deposited into the public safety officers benefit fund created in
19 section 3 of the public safety officers benefit act, 2004 PA 46,
20 MCL 28.633. All funds in the public safety officers benefit fund
21 are appropriated and available for expenditure in accordance with
22 section 3 of the public safety officers benefit act, 2004 PA 46,
23 MCL 28.633.

24
25 **FIELD SERVICES**

26 Sec. 601. (1) Department enlisted personnel who are employed
27 to enforce traffic laws as provided in section 629e of the Michigan
28 vehicle code, 1949 PA 300, MCL 257.629e, are not prohibited from
29 responding to crimes in progress or other emergency situations and

1 are responsible for making every effort to protect all residents of
2 this state.

3 (2) The department shall maintain the staffing and resources
4 necessary to continually work to enhance traffic safety throughout
5 this state and shall dedicate a minimum of 455,200 hours to
6 statewide patrol, of which a minimum of 40,000 shall be committed
7 to distressed cities in this state. The department shall work to
8 improve public safety efforts within distressed cities by enhancing
9 data analysis capabilities and identifying crime trends and areas
10 with high occurrence of crime.

11 (3) The department shall report on the number of residence
12 checks of registered sex offenders conducted, as provided under
13 section 224.

14 (4) The department shall submit a report on or before April 15
15 to the subcommittees and senate and house fiscal agencies regarding
16 the secure cities partnership during the prior calendar year.

17 Sec. 602. (1) The department shall identify and apprehend
18 criminals through criminal investigations in this state.

19 (2) The department shall maintain the staffing and resources
20 necessary to annually meet or exceed a case clearance rate of 62%.

21 (3) The department shall maintain the staffing and resources
22 necessary to investigate the average annual number of opioid-
23 related investigations conducted by multijurisdictional task forces
24 and hometown security teams during the preceding 5 fiscal years.
25 The department shall work to enhance investigative and drug
26 interdiction efforts by enhancing data analysis capabilities and
27 linking investigations among multijurisdictional task forces and
28 hometown security teams.

29 Sec. 603. (1) The department shall provide protection to this

1 state, its economy, welfare, and vital state-sponsored programs
2 through the prevention and suppression of organized smuggling of
3 untaxed tobacco products in this state, through enforcement of the
4 tobacco products tax act, 1993 PA 327, MCL 205.421 to 205.436, and
5 other laws pertaining to combating criminal activity in this state,
6 and by maintaining a tobacco tax enforcement unit.

7 (2) The department shall submit an annual report on December 1
8 to the subcommittees, the senate and house appropriations
9 subcommittees on general government, the senate and house fiscal
10 agencies, and the state budget office that details expenditures and
11 activities related to tobacco tax enforcement for the prior fiscal
12 year.

13 (3) The marijuana and tobacco investigation section shall
14 dedicate a minimum of 16,600 hours to tobacco tax enforcement.

15 Sec. 604. (1) The department shall provide fire investigation
16 training and investigative assistance to public safety agencies in
17 this state.

18 (2) The department shall maintain the staffing and resources
19 necessary to maintain readiness to respond appropriately to at
20 least the average annual number of requests for fire investigation
21 services that occurred during the preceding 5 fiscal years and
22 shall be available for call out statewide 100% of the time.

23 24 **SPECIALIZED SERVICES**

25 Sec. 701. (1) The department shall operate the Michigan
26 intelligence operations center for homeland security as this
27 state's primary federally designated fusion center to receive,
28 analyze, gather, and disseminate threat-related information among
29 federal, state, local, tribal, and private sector partners.

1 (2) The department shall ensure public safety by providing
2 public and private sector partners with timely and accurate
3 information regarding critical information key resource threats as
4 reported to or discovered by the Michigan intelligence operations
5 center for homeland security and shall increase public awareness on
6 how to report suspicious activity through website or telephone
7 communications.

8 (3) The department shall maintain the staffing and resources
9 necessary to support the cyber section, including the Michigan
10 cyber command center, the computer crimes unit, and the internet
11 crimes against children task force. The department shall maintain
12 the staffing and resources necessary to complete the average annual
13 number of cases completed by the computer crimes unit during the
14 preceding 5 fiscal years. The unit shall pursue process improvement
15 initiatives to effectively utilize staff resources in providing
16 investigatory assistance and evidentiary analysis for law
17 enforcement and criminal justice agencies statewide. The department
18 shall maintain the staffing and resources necessary to complete the
19 average annual casework that the Michigan cyber command center
20 completed during the preceding 5 fiscal years.

21 (4) The department shall maintain the staffing and resources
22 necessary to provide digital forensic analysis services with a goal
23 of decreasing backlogs of digital forensic analysis cases annually
24 until the department maintains a 60-day turnaround time.

25 Sec. 702. (1) The department shall provide specialized
26 services in support of, and to enhance, local, state, and federal
27 law enforcement operations within this state in accordance with all
28 applicable state and federal laws and regulations.

29 (2) The department shall maintain the staffing and resources

1 necessary to provide training to maintain readiness to respond
2 appropriately to at least the average annual number of requests for
3 specialty services which occurred during the preceding 5 fiscal
4 years.

5 (3) The canine unit shall be available for call out statewide
6 100% of the time.

7 (4) The bomb squad unit shall be available for call out
8 statewide 100% of the time.

9 (5) The emergency support teams shall be available for call
10 out statewide 100% of the time.

11 (6) The marine services team shall be available for call out
12 statewide 100% of the time.

13 (7) Aviation services shall be available for call out
14 statewide 100% of the time, unless prohibited by weather or
15 unexpected mechanical breakdowns.

16 (8) The department shall maintain the staff and resources
17 necessary to provide security services at the State Capitol Complex
18 facilities, the State Secondary Complex, and other state-owned or
19 leased properties, as provided under section 6c of 1935 PA 59, MCL
20 28.6c. The department shall also maintain the staff and resources
21 necessary to respond to emergencies at the State Capitol Complex,
22 State Secondary Complex, House Office Building, Binsfeld Office
23 Building, Capitol parking lot, Townsend Parking Ramp, Roosevelt
24 Parking Ramp, and other areas as directed. The department shall
25 maintain a goal of annually conducting 35,000 property inspections
26 of state owned and leased facilities.

27 Sec. 703. (1) The department shall maintain commercial vehicle
28 regulation, school bus inspections, and enforcement activities,
29 including enforcement of requirements concerning size, weight, and

1 load restrictions; operating authority; registration; fuel taxes;
2 transportation of hazardous materials; operations of new entrants;
3 commercial driver licenses; and inspections pursuant to the federal
4 motor carrier assistance program.

5 (2) The department shall maintain the staffing and resources
6 necessary to meet inspection goals consistent with the department's
7 federal motor carrier assistance program activities.

8 (3) Revenue collected under the motor carrier act, 1933 PA
9 254, MCL 475.1 to 479.42, shall be expended in accordance with that
10 act. Unexpended and unencumbered revenues shall not lapse to the
11 general fund but shall be carried forward into the subsequent
12 fiscal year.

13 Sec. 704. (1) The department shall coordinate the mitigation,
14 preparation, response, and recovery activities of municipal,
15 county, state, and federal governments, and other governmental
16 entities, for all hazards, disasters, and emergencies.

17 (2) The state director of emergency management may expend
18 money appropriated under part 1 to call upon any agency or
19 department of the state or any resource of the state to protect
20 life or property or to provide for the health or safety of the
21 population in any area of this state in which the governor
22 proclaims a state of emergency or state of disaster under 1945 PA
23 302, MCL 10.31 to 10.33, or under the emergency management act,
24 1976 PA 390, MCL 30.401 to 30.421. The state director of emergency
25 management may expend the amounts the director considers necessary
26 to accomplish these purposes. The director shall submit to the
27 state budget director, as soon as possible, a complete report of
28 all actions taken under the authority of this section. The report
29 shall contain, as a separate item, a statement of all money

1 expended that is not reimbursable from federal funding. The state
2 budget director shall review the expenditures and submit
3 recommendations to the legislature in regard to any possible need
4 for a supplemental appropriation.

5 (3) In addition to the funds appropriated in part 1, the
6 department may receive and expend money from local, private,
7 federal, or state sources for the purpose of providing emergency
8 management training to local or private interests and for the
9 purpose of supporting emergency preparedness, response, recovery,
10 and mitigation activity. If additional expenditure authorization in
11 the statewide integrated governmental management application
12 (SIGMA) is approved by the state budget office under this section,
13 the department and the state budget office shall notify the
14 subcommittees and the senate and house fiscal agencies within 10
15 days after the approval. The notification shall include the amount
16 and source of the additional authorization, the date of its
17 approval, and the projected use of funds to be expended under the
18 authorization. The total amount of federal revenues that may be
19 received and expended under this section and section 231 must not
20 exceed \$45,000,000.00. The total amount of state restricted
21 revenues that may be received and expended under this subsection
22 and subsection (7) must not exceed \$15,000,000.00.

23 (4) The department shall foster, promote, and maintain
24 partnerships to protect this state and homeland from all hazards.

25 (5) The department shall maintain the staffing and resources
26 necessary to do all of the following:

27 (a) Serve approximately 105 local emergency management
28 preparedness programs and 88 local emergency planning committees in
29 this state.

1 (b) Operate and maintain the state's emergency operations
2 center and provide command and control in support of emergency
3 response services.

4 (c) Maintain readiness, including training and equipment to
5 respond to civil disorders and natural disasters commensurate with
6 the capabilities of fiscal year 2010-2011.

7 (d) Perform hazardous materials response training.

8 (6) The department shall conduct a minimum of 3 training
9 sessions to enhance safe response in the event of natural or
10 manmade incidents, emergencies, or disasters.

11 (7) In addition to the funds appropriated in part 1, there is
12 appropriated from the disaster and emergency contingency fund an
13 amount necessary to cover costs related to any disaster or
14 emergency as defined in the emergency management act, 1976 PA 390,
15 MCL 30.401 to 30.421. However, funds appropriated under this
16 subsection and state restricted funds received and expended under
17 subsection (3) must not exceed \$15,000,000.00. Funds shall be
18 expended as provided under sections 18 and 19 of the emergency
19 management act, 1976 PA 390, MCL 30.418 and 30.419, and R 30.51 to
20 R 30.61 of the Michigan Administrative Code.

21 (8) Funds in the disaster and emergency contingency fund shall
22 not be expended unless the state budget director approves the
23 expenditure and the department and the state budget office notify
24 the senate and house appropriations committees. If expenditures are
25 made from the disaster and emergency contingency fund during a
26 month, the department shall submit monthly reports to the senate
27 and house fiscal agencies detailing the purpose of the
28 expenditures. These monthly reports shall be submitted within 30
29 days after the end of the month during which funds from the

1 disaster and emergency contingency fund were expended.

2 (9) Upon the declaration of a state of emergency or disaster
3 by the governor under section 3 of the emergency management act,
4 1976 PA 390, MCL 30.403, approval of the state budget director, and
5 notification of the subcommittees and senate and house fiscal
6 agencies, the director may expend funds appropriated from any
7 source to any line item within part 1 for the purpose of paying the
8 necessary and reasonable expenses incurred by the department in
9 responding to or mitigating the effects of any emergency or
10 disaster as those terms are defined in section 2 of the emergency
11 management act, 1976 PA 390, MCL 30.402.

12 (10) The department shall track and report on a biannual
13 basis, as provided in section 224 of this part, the status of the
14 department's assessment of critical infrastructure vulnerabilities,
15 including the protection status of critical infrastructure items
16 identified by the assessment. The department is not required to
17 report any information that could compromise the security of any
18 critical infrastructure.

19 Sec. 705. The department shall provide for the planning,
20 administration, and implementation of highway traffic safety
21 programs to save lives and reduce injuries on roads in this state,
22 in partnership with other public and private organizations.

23 Sec. 706. (1) Funds appropriated in part 1 for the secondary
24 road patrol program shall be used to provide grants to sheriffs
25 under the secondary road patrol program described under section 76
26 of 1846 RS 14, MCL 51.76.

27 (2) Not later than April 30, the office of highway safety
28 planning shall work with the state court administrative office, as
29 necessary, to issue a report to the department and the

1 subcommittees on the following data from the previous calendar
2 year:

3 (a) The total number of traffic civil infractions written
4 under both state and local ordinances for which the \$40.00 justice
5 system assessment is to be assessed.

6 (b) Of the total number reported under subdivision (a), the
7 number of traffic civil infractions written under both state and
8 local ordinances that the court assessed and ordered payment of the
9 justice system assessment.

10 (c) Of the number reported under subdivision (b), the number
11 of traffic civil infractions for which the justice system
12 assessment was collected and distributed to the justice system fund
13 created in section 181 of the revised judicature act of 1961, 1961
14 PA 236, MCL 600.181.

15 (d) The number of citations, misdemeanors, and felonies
16 written under both state and local ordinances corresponding to a
17 law of this state for a violation of each of the following:

18 (i) Section 617a of the Michigan vehicle code, 1949 PA 300, MCL
19 257.617a.

20 (ii) Section 618 of the Michigan vehicle code, 1949 PA 300, MCL
21 257.618.

22 (iii) Section 625(1) of the Michigan vehicle code, 1949 PA 300,
23 MCL 257.625.

24 (iv) Section 625(8) of the Michigan vehicle code, 1949 PA 300,
25 MCL 257.625.

26 (v) Section 626 of the Michigan vehicle code, 1949 PA 300, MCL
27 257.626.

28 (vi) Section 676b of the Michigan vehicle code, 1949 PA 300,
29 MCL 257.676b.

1 (vii) Section 904 of the Michigan vehicle code, 1949 PA 300,
2 MCL 257.904.

3 (3) The sheriffs' duties under the secondary road patrol
4 program, as outlined in section 76(2) of 1846 RS 14, MCL 51.76, are
5 to patrol and monitor traffic violations; to enforce the criminal
6 laws of this state, violations of which are observed by or brought
7 to the attention of the sheriff's department while patrolling and
8 monitoring secondary roads; to investigate accidents involving
9 motor vehicles; and to provide emergency assistance to persons on
10 or near a highway or road the sheriff is patrolling and monitoring.
11

12 **ONE-TIME APPROPRIATIONS**

13 Sec. 801. (1) Funds appropriated in part 1 for the Michigan
14 joint task force on jail and pretrial incarceration must be used to
15 support the development and delivery of training for law
16 enforcement, dispatch, and jail officers in the areas of behavioral
17 health and victim services, in accordance with task force
18 recommendations.

19 (2) The unexpended funds appropriated in part 1 for the
20 Michigan joint task force on jail and pretrial incarceration are
21 designated as a work project appropriation and any unencumbered or
22 unallotted funds shall not lapse at the end of the fiscal year and
23 shall be available for expenditures for projects under this section
24 until the projects have been completed. The following is in
25 compliance with section 451a(1) of the management and budget act,
26 1984 PA 431, MCL 18.1451a:

27 (a) The purpose of the project is to support the development
28 and delivery of training for law enforcement, dispatch, and jail
29 officers, in accordance with task force recommendations.

1 (b) The project will be accomplished by utilizing state
2 employees or contracts with service providers, or both.

3 (c) The total estimated cost of the project is \$10,200,000.00.

4 (d) The estimated completion date is September 30, 2026.

5 Sec. 802. From the funds appropriated in part 1 for state
6 capitol security, the department shall distribute \$1,000,000.00 to
7 a city in which the state capitol is located to defray costs that
8 have been incurred to provide security services to the State
9 Capitol Complex and surrounding state properties.

10 Sec. 803. In addition to the funds appropriated in part 1,
11 there is appropriated an amount not to exceed \$150,000,000.00 of
12 federal authorization. This authorization is only available for
13 emergency and disaster response and mitigation. These funds are not
14 available for expenditure until they have been transferred to
15 another line item in part 1 under section 393(2) of the management
16 and budget act, 1984 PA 431, MCL 18.1393.